



**DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS
OFFICE OF THE ZONING ADMINISTRATOR**

April 19, 2021

Via Emailed PDF
pat@ptbloomsllc.com

P.T. Blooms LLC Development
7905-C Cessna Ave.
Gaithersburg, MD 20879
Attn: Patrick Bloomfield

Re: Determination - 2519-2525 Pennsylvania Ave NW, NW- (Square 0014, Lots 28/29)

Dear Mr. Bloomfield:

This letter confirms the conversation you had with my staff on February 23, 2021, and a review of the Plat and Plans (attached as Exhibit A), regarding the proposed project located at 2519-2525 Pennsylvania Ave, NW (Square 0014, Lots 28/29) (the “Subject Property”).

The Subject Property is currently improved with two 5-story structures used for residential and commercial uses (the “Building”). You are proposing to consolidate the two lots into one lot, through a subdivision, and internally connect the two buildings. You are also proposing to construct a new, four-story rear addition (the “Addition”), designed as a carriage house, which will be connected to the existing Building via a one-story meaningful building connection. You are proposing to maintain the retail/commercial use on the first floor; the use of the Addition, and floors 2-5 of the existing Building, will consist of a total of fifteen (15) – residential dwelling units (the “Project”), which is an increase of five (3) new dwelling units. You have asked for a review of the proposed Project to confirm its compliance with the Zoning Regulations. You are also seeking guidance on the nature of any BZA relief required for the Project, as proposed.

Proposed Use

You are proposing to use the building as a 15-unit residential dwelling with ground floor commercial retail. Mixed Use Residential/Commercial use is permitted as a matter-of-right in the MU-6 Zone. Following is a table to represent certain zoning elements.

ZONING DESCRIPTION OF PROPERTY	Potential	Proposed
Zoning District	MU-6	MU-6
Max Building Height from grade(LF)	90	55
Floor Height (floor-to-floor) (LF)	NA	NA
# of Floor	NA	NA
Lot SF	4,308	4,308
FAR (Floor Area Ratio)	6.00	4.38
Lot Occupancy (%)	100%	100%
Total Gross Buildable Area Allowed	25,848	18,862
GAR	0.3	NA
Parking requirements	2.00	3.0

DEVELOPMENT BUILDING PROFILE				Gross		Residential
Description		Buildable Area	Common	Commercial	Net SF	
**Common		4,497	2,050	2447		0
2nd Floor		3,881	702	0		3,179
3rd Floor		3,847	751	0		3,096
4th Floor		3,847	751	0		3,096
5th Floor		2,790	571	0		2,219
Totals		18,862	4,825	2,447		11,590
Building -						
Common vs. Net		100%	25.58%	12.97%		61.45%
Residential Profile						
Type of Room	Parking	1 Bed	1 Bed & Den	Junior 2Bed	2 Bed	Total Units
Quantity	3	4	4	3	4	15
Total SF		2,313	3,084	829	3,704	9,930
Average Unit Size		578	771	276	926	662

Density/FAR

Pursuant to G § 402.1, the maximum permitted FAR in the MU-6 zone is 6.0 (which would be 25,848 square feet of GFA based on the subject lot's land area of 4,308 square feet), of which up to 2.0 FAR (or 8,616 sq. ft.) may be dedicated to permissible non-residential uses. You are proposing an FAR of 4.38 (18,862 square feet of GFA), and 0.56 (2,447 sq. ft.) of commercial space. Accordingly, the Project complies with the FAR requirements of the MU-6 zone.

Lot Occupancy

Pursuant to G § 404.1, The maximum permitted lot occupancy for residential uses is seventy-five percent (75%). There is no minimum lot occupancy for commercial uses. Based on a review of the plans, the proposed lot occupancy is 100%. Therefore, the project will need to seek special exception relief for lot occupancy for floors 2-5 (residential uses)

Height

Pursuant to G § 403.1, the maximum permitted height in the MU-6 zone is fifty feet (90 ft.). You are proposing a total building height of fifty-five feet (55 ft.). Accordingly, the Project complies with the height requirements of the MU-6 Zone.

The building height is measured using the building height measuring point (BHMP), which is established at the level of the curb, opposite the middle of the front of the building, and the building height shall be the vertical distance measured from the BHMP to the highest point of the roof or parapet, as per Section B-307.1.

Rear Yard

Pursuant to G § 405.2, the minimum rear yard setback is fifteen (15 ft.). In this zone, for the first twenty (20) vertical feet of the structure, the rear yard may be measured from the centerline of the adjacent alley. The adjacent alley is approximately ten feet (10 ft.) wide. You are proposing a rear yard of zero feet (0'0"). Accordingly, the project will need to seek special exception relief for the rear setback requirements, for the entire rear façade.

Courts

Pursuant to the definition of "Court", "Court, Closed", and "Court, Open", the open area above the meaningful connection between the two portions of the building is an Open Court. Pursuant to G § 202.1, the minimum width of an open court is 4 inches per foot of height of court, with a minimum of ten (10) feet. Based on the attached plans, the subject court does not meet the minimum court width requirement. Special Exception relief from this requirement is available through the Board of Zoning Adjustment pursuant to Subtitle G § 1200.1.

Green Area Ratio

Pursuant to G § 407.1, the minimum Green Area Ratio (GAR) is 0.3. Pursuant to C § 601.7, "A historic resource and any additions thereto are exempt from the requirement of this chapter as a result of a change in use or increase of intensity of use, except that this chapter shall be applicable when any additions result in an increase in gross floor area of the historic resource by fifty percent (50%) or more. For purposes of this chapter a "historical resource" is a building or structure listed in the District of Columbia Inventory of Historic Sites or a building or structure certified in writing by the Historic Preservation Office as contributing to the character of the historic district in which it is located."

The Building is landmarked on District of Columbia Inventory of Historic Sites and the Project does not increase the GFA by more than fifty percent (50%), therefore the project is exempt from providing GAR. You will be required to submit a GAR Exemption Application and obtain signatures/approvals from the State Historic Preservation Officer, as well as the Office of the Zoning Administrator with the building permit application.

Inclusionary Zoning

Pursuant to C § 1001.2 (a) the Project will be subject to IZ if: (1) you are proposing new gross floor area beyond that existing at the time of the building permit application that would result in ten (10) or more new dwelling units; or (2) ten (10) or more new dwelling units *constructed* concurrently or in phases, on a lot, on contiguous lots, or on lots divided by an alley, if such lots were under common ownership, control, or affiliation within one (1) year prior to the application for the first building permit.

The current Building has 12 dwelling units, and the reconfiguration of the present floor area, and with the addition, the total number of dwelling units will be 15. The proposed Project will add *new* GFA of 6,291 square feet, identified generally as the fifth-floor addition and the rear addition, and as represented specifically on the drawing attached as Exhibit A. As noted on Exhibit A (Page 34), this new GFA will consist of five (5) units, and the number of the units in the current Building will be reduced from 12 to 10. Because the new GFA results in only five (5) units, the Inclusionary Zoning requirements will not be applicable to the Project.

Off-Street Automobile Parking Requirement

Currently there is no off-street parking provided on the subject Property for the existing Building. The Property is landmarked as the *Site of the Mullett Houses*. Pursuant to C § 704.2, additions to historic resources shall only be required to provide parking for the addition if the addition results in at least a fifty percent (50%) increase in GFA *and* the resulting requirement is at least four (4) parking spaces. You are not increasing the GFA by 50% or more. Even if you were, the parking requirement does not meet the threshold of four (4) spaces.

Pursuant to the table identified in Subtitle C § 701.5, any apartment house would require 1 space per 3 units, above 4 units. Any retail in excess of 3,000 SF would require 1.33 spaces per 1,000 SF. The retail portion of the Building is less than 3,000 SF, therefore there is not a parking requirement for the retail space. Ordinarily, a 15 unit building would require 4 spaces. However, the site is located 0.31 mile from the *Foggy Bottom GWU Metrorail Station*, therefore the minimum vehicle parking requirement identified in the table of Subtitle C § 701.5 shall be reduced by fifty percent (50%). Accordingly, the project parking requirement would only be two (2) spaces and would not meet the threshold in C § 704.2. Therefore, there is no requirement to provide parking for the addition; nonetheless, three (3) non-required parking spaces are to be provided.

Parking Access

Pursuant to C § 711.7 Except for Alley Lots, when required parking spaces are provided within a building or structure, all vehicular entrances or exits shall be setback at least twelve feet (12 ft.) from the center line of any adjacent alley for a minimum height of ten feet (10 ft.). You are providing a garage entrance for three (3) non-required parking spaces, on the northwest side of the building, near the rear. For one of the spaces, this entrance will be set back 10.25 feet from the centerline of the adjacent alley. There is an additional parking space facing north. Because this parking space is not a *required* space, it is not subject to the requirement in C § 711.7.

Bicycle Parking

The Property is landmarked as the *Site of the Mullett Houses*. Pursuant to C § 802.6, additions to historic resources shall be required to provide additional bicycle parking spaces only for the addition's gross floor area and only when the addition results in at least a fifty percent (50%) increase in gross floor area beyond the gross floor area existing on the effective date of this title. The additional minimum parking required shall be calculated

based upon the entire gross floor area added. You are not increasing the floor area by fifty percent (50%) or more. Accordingly, the project is exempt from required bicycle parking.

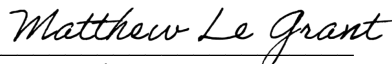
Building Connection

Pursuant to A § 301.3, each principal structure must be on a separate lot of record. In other words, you may not have more than one principal structure on a single record lot. Structures which are separated from the ground up by common division walls or contain multiple sections separated horizontally, such as wings or additions, are separate buildings. Under B § 309.1, structures or sections shall be considered parts of a single building if they are joined by an enclosed connection that is fully above grade and is heated and artificially lit; and is also either a common space shared by users of all portions of the building, such as a lobby or recreation room, or space that is designed and used to provide free and unrestricted passage between separate portions of the building, such as an unrestricted doorway or walkway.

As per the attached plans, there is a connection between the two portions of the Project's building so as to qualify as a meaningful connection meeting this requirement, and therefore the Project consists of a single principal building.

Summary

Based on the attached plans and the above narrative, the proposed Project complies with the cited Zoning Requirements and the specific MU-6 zone requirements, **except for the rear yard, lot occupancy, and court width requirements, of which you have indicated that you will apply to the BZA to ask for relief.** Assuming that you obtain this relief from the BZA, when you file the plans for a building permit, my office will approve drawings consistent with the plans attached to this letter. Please feel free to contact me if you have any questions.

Sincerely, 
Matthew Le Grant
Zoning Administrator

Attachments: Plan set dated 3-23-21; Plat dated 2-17-21

Zoning Technician: Ernesto Warren

Disclaimer: This letter is issued in reliance upon, and therefore limited to, the questions asked, and documents submitted in support of the request for a determination. The determinations reached in this letter are made based on the information supplied, and the laws, regulations, and policy in effect as of the date of this letter. Changes in the applicable laws, regulations, or policy, or new information or evidence, may result in a different determination. This letter is **NOT** a "final writing", as used in Section Y-302.1 of the Zoning Regulations (Title 11 of the District of Columbia Municipal Regulations), nor a final decision of the Zoning Administrator that may be appealed under Section Y-302.1 of the Zoning Regulations, but instead is an advisory statement of how the Zoning Administrator would rule on an application if reviewed as of the date of this letter based on the information submitted for the Zoning Administrator's review. Therefore, this letter does **NOT** vest an application for zoning or other DCRA approval process (including any vesting provision established under the Zoning Regulations unless specified otherwise therein), which may only occur as part of the review of an application submitted to DCRA.

File: Det Let re 2519-2525 Pennsylvania Ave NW to Bloomfield 4-19-21